

UNITED STATES DISTRICT COURT
for
EASTERN DISTRICT OF NORTH CAROLINA
WESTERN DIVISION

U.S.A. vs. James Lee Watkins

Docket No. 5:01-CR-92-1H

Petition for Action on Supervised Release

COMES NOW Julie Wise Rosa, probation officer of the court, presenting a petition for modification of the Judgment and Commitment Order of James Lee Watkins, who, upon an earlier plea of guilty to Conspiracy to Distribute and Possess With the Intent to Distribute Cocaine Base (Crack) in violation of 21 U.S.C. § 846, was sentenced by the Honorable Malcolm J. Howard, Senior U.S. District Judge, on November 15, 2001, to the custody of the Bureau of Prisons for a term of 132 months. It was further ordered that upon release from imprisonment the defendant be placed on supervised release for 60 months under the standard conditions adopted by the court and the following additional conditions:

1. The defendant shall participate as directed in a program approved by the probation office for the treatment of narcotic addiction, drug dependency, or alcohol dependency which will include urinalysis testing or other drug detection measures and may require residence or participation in a residential treatment facility.
2. The defendant shall participate in a program of mental health treatment, as directed by the probation office.
3. The defendant shall consent to a warrantless search by a United States Probation Officer or, at the request of the probation officer, any other law enforcement officer, of the defendant's person and premises, including any vehicle, to determine compliance with the conditions of this judgment.

James Lee Watkins was released from custody on March 11, 2011, at which time the term of supervised release commenced.

RESPECTFULLY PRESENTING PETITION FOR ACTION OF COURT FOR CAUSE AS FOLLOWS:

During the initial office visit on March 18, 2011, the defendant provided a urinalysis sample which tested positive for marijuana. When confronted with the results of the test, Watkins signed an admission of use form. On March 29, 2011, the defendant provided a urinalysis sample which tested positive for cocaine and marijuana. When confronted, Watkins admitted using both marijuana and cocaine, and he signed an admission of use form. He has been placed in substance abuse treatment and is enrolled in the Surprise Urinalysis Program. The defendant signed a Waiver of Hearing agreeing to the proposed modification of supervision.

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PRAYING THAT THE COURT WILL ORDER that supervised release be modified as follows:

1. The defendant shall be confined in the custody of the Bureau of Prisons for a period of 5 days as arranged by the probation officer, and shall abide by all rules and regulations of the designated facility.
2. While under supervision in the Eastern District of NC, the defendant shall participate in the DROPS Program and, in response to detected illegal drug use, shall be confined in the custody of the Bureau of Prisons for a period not to exceed 30 days of intermittent confinement, as arranged by the probation office, in the following increments: First Use - Two Days; Second Use - Five Days; Third Use - Ten Days.

Except as herein modified, the judgment shall remain in full force and effect.

Reviewed and approved,

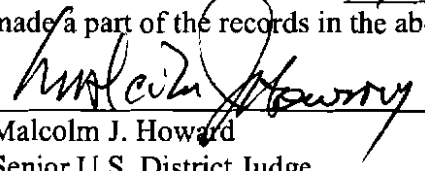
I declare under penalty of perjury that the foregoing is true and correct.

/s/Michael C. Brittain
Michael C. Brittain
Senior U.S. Probation Officer

/s/Julie Wise Rosa
Julie Wise Rosa
U.S. Probation Officer
310 New Bern Avenue, Room 610
Raleigh, NC 27601-1441
Phone: (919) 861-8660
Executed On: April 6, 2011

ORDER OF COURT

Considered and ordered this 7th day of April, 2011, and ordered filed and made a part of the records in the above case.


Malcolm J. Howard
Senior U.S. District Judge